

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

UNITED STATES OF AMERICA,

Case No. 20-cr-20491

Plaintiff,

U.S. District Judge: Thomas L. Ludington

-vs-

Magistrate Patricia T. Morris

JUSTIN WILLIAM ZUBE,

Defendant.

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MOTION TO RECONSIDER THE ORDER OF DETENTION

NOW COMES the Defendant, Justin William Zube, by and through his attorney, Jeffrey J. Rupp, and hereby moves this Honorable Court to reconsider the order of detention, and states the following in support of his motion:

1. On March 27, 2019October 7, 2020, Mr. Zube is charged via indictment with Count One: Possessing and Accessing Child Pornography in violation of 18 U.S.C. 2252A(a)(5)(B) and (b)(2). ECF No. 3.

2. On October 22, 2020, the Court conducts a detention hearing and enters an order of detention pending trial. ECF No. 9.

3. Since that time, Mr. Zube has been housed at the following facilities: Bay County Jail, Livingston County Jail, Monroe County Jail, Midland County Jail, and Isabella County Jail (current).

4. Mr. Zube suffers from several medical conditions including migraines, high blood pressure, bone spurs, and spina bifida.

5. Due to the frequent housing transfers it has been difficult for Mr. Zube to receive proper medical care or to even see a doctor.

6. He is currently housed in a single cell with seven other individuals where the lights remain on 24 hours per day.

7. He does not believe the meals that are provided include 2,000 calories per day.

8. He is not permitted access to books or a law library.

9. He does not have access to stamps, large envelopes, or a photocopier.

10. He is being charged for services, like television, which he does not want.

11. He has attempted to raise complaints to staff and he is told, "We're Isabella County, we don't follow the rules."

12. These conditions are a threat to Mr. Zube's personal health, and an impairment of his ability and right to participate and assist in the preparation of his defense.

13. Defense counsel has sought the concurrence of the Government, and the same has been denied.

WHEREFORE, Justin William Zube respectfully requests that this Honorable Court reconsider the order of detention in this matter and allow for his pre-trial release. In the alternative, he prays the Court will direct his placement at a different facility.

Dated: September 14, 2021

Jeffrey J. Rupp (P61749)
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CERTIFICATE OF SERVICE

I, Amy M. Rappley, hereby certifies that on September 14, 2021, the foregoing document, Motion to Reconsider the Order of Detention, was electronically filed with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

ANCA I. POP, Assistant United States Attorney

I further certify that I have mailed by United States Postal Service the foregoing document to the following:

NONE.